

IC 5-25-3

Chapter 3. The Commission

IC 5-25-3-1

Establishment; purpose

Sec. 1. (a) The interstate jobs protection commission is established.

(b) The purpose of the commission is to:

- (1) carry out the purposes in IC 5-25-2;
- (2) study the protection of existing jobs from unnecessary relocation;
- (3) study and make recommendations to each party state regarding aspects of law or governmental administration dealing with matters within this article;
- (4) gather and disseminate information to each party state relating to matters within this article;
- (5) cooperate with the federal government and any public or private entities having interest in any subject coming within this article; and
- (6) consult, upon the request of a party state, with the officials of such state in respect to any problem within this article.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-2

Commissioner; advisory body; alternates

Sec. 2. (a) The commission consists of one (1) commissioner from each party state, who shall be the governor of the party state.

(b) The commissioner from each state shall have the assistance of an advisory body, whose members shall be determined by each party state, to:

- (1) consider problems relating to the scope of this article; and
- (2) assist in discharging the commissioner's responsibilities on the commission.

(c) When a commissioner is unable to attend a meeting of the commission or perform any other function in connection with the business of the commission, the commissioner shall designate an alternate, from among the members of the advisory body required by this section, to represent and act for the commissioner. The designation of an alternate shall be communicated by the commissioner to the commission in such manner as its bylaws may provide.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-3

Voting; validity of actions; quorum

Sec. 3. (a) Each commissioner has one (1) vote.

(b) Actions of the commission requesting, accepting, or disposing of funds, services, or other property under:

- (1) section 4 of this chapter;
- (2) section 5(g) of this chapter; or

(3) section 5(h) of this chapter;
are valid only when taken at a meeting where a majority of the total number of votes on the commission is cast in favor of the action. All other actions are valid by a majority of those present and voting.

(c) A quorum of the commission consists of seventy-five percent (75%) of the entire commission.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-4

Powers and duties

Sec. 4. The commission may:

- (1) establish and maintain facilities necessary for the transacting of its business; and
- (2) acquire, hold, and convey real and personal property and any interest in real and personal property.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-5

Officers; executive director; bond; staff; retirement system; contracts; donations and grants; bylaws; reports

Sec. 5. (a) The commission shall elect annually, from its members, a chair, a vice chair, and a treasurer.

(b) The commission shall appoint an executive director and fix the executive director's duties and compensation. The executive director serves at the pleasure of the commission.

(c) The executive director, the treasurer, and other personnel as the commission designates shall be bonded. The commission shall determine the amounts of the bonds.

(d) The commission may employ staff as necessary for the purposes of the commission.

(e) Irrespective of the civil service, personnel, or other merit system laws of any of the party states, the executive director, with the approval of the commission, has the following powers over the employees of the commission as necessary for the performance of the commission's functions:

- (1) Appoint, remove, or discharge.
- (2) Direct the duties and hours of operation.
- (3) Fix the compensation and benefits for personnel.

(f) The commission may establish and maintain, independently or in conjunction with a party state, a suitable retirement system for its employees. Employees of the commission are eligible for Social Security coverage in respect to old age and survivor's insurance if the commission takes the steps necessary under the laws of the United States to participate in a program of insurance as a governmental agency or unit. The commission may establish and maintain or participate in additional programs of employee benefits as the commission considers appropriate.

(g) The commission may borrow, accept, or contract for the services of personnel from any state, the United States, or any other governmental agency, or from any person, firm, association,

partnership, limited liability company, or corporation.

(h) The commission may accept donations and grants of money, equipment, supplies, materials, and service from:

- (1) any state;
- (2) the United States or any other governmental agency; or
- (3) any person, firm, association, partnership, limited liability company, or corporation;

and may receive, use, and dispose of the same.

(i) Any donation, grant or other source of funds accepted by the commission under subsection (h), or any services borrowed under subsection (g), must be reported in the annual report of the commission. The report must include the nature, amount, disposal, and conditions of the donation, grant, or services borrowed and the identity of the donor or lender.

(j) The commission shall adopt bylaws for its business and has the power to amend and rescind the bylaws. The commission shall publish its bylaws in convenient form and shall file a copy of the bylaws and a copy of any amendment to the bylaws, with the appropriate agency or officer and with the advisory body under section 2(b) of this chapter in each of the party states.

(k) The commission shall make reports as follows:

- (1) Report annually to the governor, the advisory body under section 2(b) of this chapter, and the legislature of each party state covering the activities of the commission for the preceding year and listing such recommendations as may have been made by the commission.
- (2) At the request of a party state, the commission must make a report in addition to the annual report to the party state.
- (3) Upon its own request, the commission may make additional reports to the party states.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-6

Establishment of advisory and regional committees

Sec. 6. The commission may establish such advisory, technical, and regional committees as the commission considers necessary.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-7

Committee membership

Sec. 7. The membership of a committee may include private persons and public officials.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-8

Purpose of committees

Sec. 8. Committees may be formed to consider problems of special interest to party states or other matters of concern to the commission.

As added by P.L.50-1997, SEC.1.

IC 5-25-3-9

Budget; contents; apportionment of appropriations; restrictions on pledge of credit; accounts

Sec. 9. (a) The commission must submit to the governor or designated officer of each party state a budget of its estimated expenditures for the period required by the laws of that party state for presentation to the legislature.

(b) Each of the commission's budgets of estimated expenditures must contain:

- (1) specific recommendations of the amount or amounts to be appropriated by each of the party states; and
- (2) the source of information for each of the estimated expenditures and the request for appropriations.

(c) The total amount of appropriations requested under any budget must be apportioned among the party states in equal shares.

(d) The commission may not pledge the credit of any party state. The commission may meet any of its obligations in whole or in part with funds available to it under section 5(h) of this chapter, if the commission takes specific action setting aside the funds before incurring any obligation to be met. Except where the commission makes use of funds available to it under section 5(h) of this chapter, the commission may not incur any obligation before the allotment of funds by the party states.

(e) The commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the commission shall be subject to the audit and accounting procedures established under its bylaws. All receipts and disbursements of funds handled by the commission shall be audited yearly by a qualified public accountant approved by the commission, and the report of the audit shall be included in and become part of the annual report of the commission.

(f) The accounts of the commission must be open at any reasonable time for inspection by duly constituted officers of the party states and by any persons authorized by the commission.

(g) Nothing contained in this article may be construed to prevent the commission from complying with laws relating to audit or inspection of accounts by any government contributing to the support of the commission.

As added by P.L.50-1997, SEC.1.